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February 2, 2009

VIA CERTIFIED MAIL RETURN RECEIPT
REQUESTED NO. 7155 5474 4100 7316 1319

David L. Johnson
Miller & Martin PLLC
1200 One Nashville Place
150 Fourth Avenue North
Nashville, TN 37219

Re: Cathleen Myers
Claim No: 10689533
Plan/Policy No.: 59566/00001
Court No.: Myers v. Prudential, 1:08-cv-0022

Mr. Johnson:

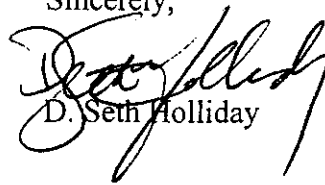
Please let this letter confirm that on January 26, 2009, you sent me via electronic mail the following statement regarding the "banker's box" of documents we received from your client relative to its discovery responses: "Even though the documents are stamped, 'Confidential,' Prudential is NOT producing them subject to the protective order. Instead, this is simply because we had asked the copy service to go ahead and stamp them 'Confidential' when we arranged for your copy back in November or so." Consequently, it is our understanding that none of the documents produced in response to our discovery requests and provided by your client in the aforementioned "banker's box" are subject to the protective order. Please let me know immediately if our understanding does not comport with your understanding. If we do not hear from you within 10 days of the date of this letter we will assume our understanding and your understanding of the matter is mutual.

If you should have any questions, please feel free to call my office.

* Certified as a Social Security Disability Specialist by the Tennessee Commission on Continuing Legal Education and Specialization

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Sincerely,



D. Seth Holliday

DSH/jh